

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2624 – SB 2631

March 28, 2018

SUMMARY OF ORIGINAL BILL: Requires the Human Rights Commission to notify the appropriate District Attorney General if during the course of an investigation there is reasonable cause to believe a violation of Tenn. Code Ann. § 39-17-309 involving civil rights intimidation has occurred.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (015600): Deletes all language after the caption. Makes the Office of Minority Affairs (OMA) administratively attached to the Office of Secretary of State (SOS). Creates the Tennessee Civil Rights Crimes Information, Reconciliation, and Research Center within the OMA to serve as a civil rights crimes remembrance and reconciliation repository. Requires the staff of the OMA to staff the Center. Authorizes additional staff to be hired in accordance with the budgetary considerations in effect in the Office of the SOS.

Requires the Center to: (1) design and distribute a statewide survey of both solved and unsolved civil rights crimes in Tennessee utilizing volunteer resources; (2) transfer any information collected that may still be subject to possible criminal prosecution to the appropriate state and local law enforcement agencies, district attorneys general and federal United States attorneys general with jurisdiction for the location involved; (3) coordinate activities surrounding unsolved civil rights crimes and cold cases believed to have occurred in this state; (4) collect and maintain pertinent information on pending conferences, workshops, public hearings, remembrance and reconciliation events, and other meetings concerning unsolved civil rights crimes and cold cases occurring in this state; (5) coordinate with the state archivist to determine if any material, information or other document received by the Center is of historical significance; and (6) assist the public, federal, state and local government entities with inquiries regarding information on unsolved civil rights crimes and cold cases in this state.

Requires the Center to submit a report by January 30, 2019, and each January 30 thereafter, to the Speaker of the Senate, Speaker of the House of Representatives, the Senate Judiciary Committee, and the House Criminal Justice Committee detailing the activities of the Center since the effective date of this act.

Requires the Center to obtain and operate a website and toll-free telephone line to receive information related to unsolved civil right crimes and cold cases in this state. Requires the Center to undertake activities to inform and remind the citizens of this state of these services and of the

HB 2624 – SB 2631

availability of the toll-free telephone line. Promotional activities include, but are not limited to press releases, posters, speeches, and public service announcements on radio and television.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase State Expenditures – \$97,600/Secretary of State

Decrease State Expenditures – \$97,600/General Assembly

Other Fiscal Impact – A transfer of the entire Office of Minority Affairs’ budget in the amount of \$325,600, of which approximately \$228,000 is currently not expended. The Office of Secretary of State may utilize such funding for any additional expenditures associated with the proposed legislation. The extent of such additional expenditures cannot be quantified with reasonable certainty.

Assumptions for the bill as amended:

- Based on information provided by the SOS, entities that are administratively attached to the SOS have a separate governing board that provides supervision.
- Based on information provided by the Office of Legislative Administration (OLA), the OMA has one employee and no governing board.
- In order for the OMA to be administratively attached to the SOS, it is assumed the OMA will become a division of the SOS with the SOS providing payroll and IT support.
- Based on information provided by the OLA, it is assumed that the OMA has an annual budget of \$325,574 (\$297,274 for employee salary and benefits and \$28,300 for operational costs). The total expenditures for the OMA were \$97,620 (\$97,365 salary/benefits + \$255 operational expenses) in FY16-17. These numbers are assumed to remain constant into perpetuity under current law.
- Therefore, \$227,954 (\$325,574 - \$97,620) of the OMA’s budgeted annual amount is currently not expended.
- The recurring increase in state expenditures to the SOS associated with the OMA becoming a division of the department, and an equivalent recurring decrease in state expenditures for the General Assembly, is estimated to be \$97,620.
- It is assumed that the currently budgeted amount of \$325,574 for the OMA will continue to be budgeted upon OMA’s transfer to the SOS. It is unknown if the current staff of the OMA will be able to accomplish the requirements of the proposed legislation or if additional resources, including additional staff, will be necessary.
- However, it is assumed that the SOS would be able to utilize the portion of the budgeted amount that is not spent for the current operations of the OMA (\$227,954) to accomplish such requirements.
- The language of this legislation does not specify if the OMA will remain physically located on the ground floor of the Cordell Hull Building. If the OMA remains in its

current location, the SOS would require a written agreement that they will not be charged rent for that office space or there would be additional mandatory increases in state expenditures for the cost of office space. It is assumed that the SOS would obtain such an agreement.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/vlh